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8 9	Attorneys for the United States of America	
10	UNITED STATES DISTRICT COURT	
11	NORTHERN DISTRICT OF CALIFORNIA	
12	OAKLAND DIVISION	
13	UNITED STATES OF AMERICA,	CR 16-0437 JST
14	Plaintiff,	STIPULATION AND [PROPOSED] ORDER FOR A CONTINUANCE AND EXCLUSION OF TIME
15	v.)	UNDER THE SPEEDY TRIAL ACT, 18 U.S.C. § 3161 ET. SEQ
16	RICARDO MANUEL DURAN,	\$ 5101 E1. SEQ
17	Defendant.	
18		
19	The United States of America, by and through its attorney of record, and defendant Ricardo	
20	Manuel Duran ("defendant"), by and through his attorney of record, hereby stipulate as follows:	
21	1. The parties respectfully request that the above-captioned matter, currently scheduled for	
22	status on March 24, 2017 at 9:30 a.m., be continued to May 5, 2017 at 9:30 a.m., and that the time from	
23	March 24, 2017 to May 5, 2017 be excluded on the basis of effective assistance of counsel. The parties'	
24	first appearance before this Court was on February 10, 2017. When the original prosecutor thereafter	

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left the Strike Force unit, this case was re-assigned to the undersigned Assistant United States Attorney.

The defendant requested a viewing of the evidence, which then needed to be re-located from the

Hayward Police Department to the Office of Homeland Security Investigations in San Francisco. The

evidence viewing has been scheduled for March 23, 2017. Further, both the defense lawyer and the

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newly assigned prosecutor need additional time to review all of the discovery, which includes a number 1 2 of recordings and videos, and pursue further investigation for effective preparation of counsel. 2. 3 The parties stipulate and agree that this matter should be continued to May 5, 2017 at 9:30 a.m., and that the failure to grant such a continuance would unreasonably deny the defendant and 4 5 the government the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. The parties further stipulate and agree that the time from March 24, 2017 through May 6 7 5, 2017 should be excluded on the basis that the ends of justice are served by taking such action which 8 outweigh the best interest of the public and the defendant in a speedy trial and for effective preparation 9 of counsel, taking into account the exercise of due diligence, under 18 U.S.C. § 3161(h)(7)(A) and 10 (B)(iv). 11 DATED: March 20, 2017 12 Respectfully submitted, 13 BRIAN J. STRETCH United States Attorney 14 15 DEBORAH R. DOUGLAS Assistant United States Attorney 16 17 ANGELA HANSEN, Esq. Attorney for Defendant 18 19 20 21 22 23 24 25 26 27 28

1 ORDER

Upon the parties' stipulation, and GOOD CAUSE appearing, IT IS HEREBY ORDERED that the above-captioned matter shall be continued to May 5, 2017 at 9:30 a.m. for status and that the time from March 24, 2017 through May 5, 2017 shall be excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv). The Court finds that failure to grant the continuance would unreasonably deny the defendant and the government the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, and the ends of justice served by the continuance outweigh the best interests of the public and the defendant in a speedy trial.

IT IS SO ORDERED.

DATED: March 20, 2017

HON JRABLE JON S. TIGAR UNIT ED STATES DISTRICT JUDGE